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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,688	09/17/2003	Koichi Nagoshi	P23994	3984

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GREENBLUM & BERNSTEIN, P.L.C.  
1950 ROLAND CLARKE PLACE  
RESTON, VA 20191

EXAMINER
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MUHEBBULLAH, SAJEDA

ART UNIT	PAPER NUMBER
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2174

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/10/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/663,688	<b>Applicant(s)</b> NAGOSHI ET AL.	
	<b>Examiner</b> Sajeda Muhebbullah	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on 20 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 28-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 28-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This communication is responsive to Amendment filed 12/20/2006.
2. Claims 1-24 and 28-35 are pending in this application. Claims 1-2, 13-16, 18-24, 28, and 30-31 have been amended. This action is made Final.

#### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 13 recites the limitation "malfunction" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

#### *Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-24 and 28-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Kitada et al. ("Kitada", US 2004/0024811).

As per claim 1, Kitada teaches a multifunction apparatus having at least a copying function (para.0023, lines 2-3), the multifunction apparatus connected to a discrete server via a network (para.0022, lines 7-9), the discrete server storing information regarding a menu (para.0057), the menu being displayable on the multifunction apparatus (para.0039), the multifunction apparatus comprising:

a panel configured to display the menu, the menu representing functions of the multifunction apparatus (para.27); and

a controller configured to communicate with the discrete server, to receive the information regarding the menu from the discrete server, and to display, on the panel, the menu representing function of the multifunction apparatus, based on the information regarding the menu received from the discrete server (para.0051, lines 12-27).

As per claim 2, Kitada teaches the multifunction apparatus wherein the information regarding the menu is utilized for the multifunction apparatus and also for another multifunction apparatus (Fig.1, MFDs 10-30; para.0033).

As per claim 3, Kitada teaches the multifunction apparatus, wherein the information regarding the menu is utilized only for the multifunction apparatus (para.0022, lines 7-8).

As per claim 4, Kitada teaches the multifunction apparatus, wherein the information regarding the menu is utilized for at least one of a plurality of functions of the multifunction apparatus (para.0027).

As per claim 5, Kitada teaches the multifunction apparatus, wherein at least one of a plurality of functions of the multifunction apparatus is an operation customized for a particular user (para.0033; para.0039).

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As per claim 6, Kitada teaches the multifunction apparatus, wherein the information regarding the menu contains a menu item name, the menu item name indicating a job that the multifunction apparatus performs (Fig.4; para.0044).

As per claim 7, Kitada teaches the multifunction apparatus, wherein the information regarding the menu contains a menu item name, a job-ID and a job parameter (para.0039; para.0044).

As per claim 8, Kitada teaches the multifunction apparatus, wherein the multifunction apparatus additionally has at least one of a scanning, printing, and a facsimile transmission function and the job ID includes at least one of copying, printing, scanning and fax transmission (para.0039; para.0044).

As per claim 9, Kitada teaches the multifunction apparatus, wherein the job parameter includes at least one of an image type and paper size for copying (para.0023; para.0039, lines 10-11).

As per claim 10, Kitada teaches the multifunction apparatus, wherein the job parameter includes at least one of an image type, paper size and resolution for printing (para.0023; para.0039, lines 10-11).

As per claim 11, Kitada teaches the multifunction apparatus, wherein the job parameter includes at least one of an image type, paper size, resolution and file format for scanning (para.0039, lines 10-11).

As per claim 12, Kitada teaches the multifunction apparatus, wherein the job parameter includes at least one of an image type, paper size, resolution and file format for facsimile transmission (para.0023; para.0039, lines 10-11).

Claim 13 is similar in scope to claim 1, and is therefore rejected under similar rationale. Furthermore, Kitada teaches the additional limitation of a key being configured to be utilized for obtaining the information regarding the menu from the discrete server (para.0032).

Claim 14 is similar in scope to claim 13, and is therefore rejected under similar rationale.

As per claim 15, Kitada teaches a server that is connected with a discrete multifunction apparatus via a network (para.0022, lines 7-9), the server comprising:

- a communicator configured to communicate with the multifunction apparatus via the network (para.0034, lines 14-19);

- a memory configured to store data (para.0057); and

- a controller configured to send a signal to the multifunction apparatus for obtaining information regarding a menu that is displayable on a display of the multifunction apparatus, to obtain the information regarding the menu from the multifunction apparatus, and to store the information regarding the menu in the memory of the server (para.51, lines 12-27).

As per claim 16, Kitada teaches the server, wherein the information regarding the menu contains information regarding a maximum number of characters that can be displayed on the display of the multifunction apparatus (para.0033, lines 5-9).

As per claim 17, Kitada teaches the server, wherein the information regarding the menu contains information regarding capabilities of the multifunction apparatus (para.0033, lines 5-9).

As per claim 18, Kitada teaches the server, wherein the controller is further configured to transmit the information stored in the memory to another multifunction apparatus distinct from the multifunction apparatus from which the information was obtained (para.0051, lines 20-26; para.0045).

Claim 19 is similar in scope to claim 15, and is therefore rejected under similar rationale. Furthermore, Kitada teaches the additional limitation of a key being configured for sending a signal for obtaining information regarding a menu from the multifunction apparatus (para.0032).

Claim 20 is similar in scope to claim 15, and is therefore rejected under similar rationale. Furthermore, Kitada teaches the additional limitation a server being connected to a plurality of multifunction apparatuses, the server being discrete from each of the multifunction apparatuses (Fig.1; para.0022, lines 7-9).

Claim 21 is similar in scope to claim 20, and is therefore rejected under similar rationale. Furthermore, Kitada teaches the additional limitation of a key being utilized for sending a signal for obtaining information regarding menus from a plurality of multifunction apparatuses (para.0032).

As per claim 22, Kitada teaches a server connected to a discrete multifunction apparatus via a network (para.0022, lines 7-9), the server comprising:

- a memory configured to store information regarding a menu that is displayable on a display of the multifunction apparatus (para.0057);

- a communicator configured to communicate with the multifunction apparatus via the network (para.0034, lines 14-19); and

- a controller configured to receive a signal from the multifunction apparatus for requesting the information regarding the menu, and to transmit the information regarding the menu to the multifunction apparatus (para.0051, lines 12-27).

As per claim 23, Kitada teaches the server, wherein the information regarding the menu comprises first information regarding a maximum number of characters that can be displayed on

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the display of the multifunction apparatus and second information regarding capabilities of the multifunction apparatus (para.0033, lines 5-9).

Claim 24 is similar in scope to claim 21, and is therefore rejected under similar rationale.

As per claim 28, Kitada teaches a multifunction apparatus having at least a scanning function and not having a facsimile transmission function (para.0022, lines 7-9), the multifunction apparatus connected with a server via a network, the server storing information regarding a menu (para.0057), the menu being displayable on the multifunction apparatus, the multifunction apparatus comprising:

- a scanner configured to scan a document (para.0022, lines 4-7);

- a panel configured to display a menu representing functions of the multifunction apparatus (Figs.3-6); and

- a controller configured to communicate with the server to receive the information regarding the menu from the server, and to display a menu on the panel based on the information regarding the menu received from the server (para.0051, lines 12-27),

- the controller being configured to send, to the server, based on the information regarding the menu, scanned image data together with predetermined information indicating another multifunction apparatus having a facsimile transmission function and being capable of transmitting the image data to a recipient, when a predetermined menu indicating a facsimile transmission function is displayed on the panel (para.0026; para.0047-0048), of the multifunction apparatus, the information regarding the menu including the predetermined menu indicating the facsimile transmission function, and when a facsimile transmission is selected on the menu (Fig.5; para.0047-0048; para.0026),



whereby the server transmits, to the another multifunction apparatus, the image data scanned by the multifunction apparatus, based on the predetermined information, the server being distinct from the multifunction apparatus and from the another multifunction apparatus (para.0026; Fig.1).

As per claim 29, Kitada teaches the multifunction apparatus, wherein the controller utilizes a scanning function to scan a document, when the facsimile transmission is selected on the menu (para.0026; para.0047-0048).

Claim 30 is similar in scope to claim 15, and is therefore rejected under similar rationale.

Claims 31-35 are similar in scope to claims 1-5 respectively, and are therefore rejected under similar rationale.

### ***Response to Arguments***

8. Applicant's arguments filed 12/20/2006 have been fully considered but they are not persuasive.

Applicant argued the following:

a) Kitada does not contain any disclosure regarding storing the information regarding the menus.

The Examiner disagrees for the following reasons:

Per a) Kitada clearly teaches the storing of menu information (para.0051, lines 12-27; para.0057).

*Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kumagai (US 6,947,182) teaches a system comprising of a facsimile connected to a distribution server where information related to the fax is stored.
- Katano (US 2004/0056889) teaches a multifunctional apparatus connected to a remote server that stores information.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

*Communications*

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (571) 272-4065. The examiner can normally be reached on Tuesday/Thursday and alt. Mondays from 8:30 am to 5:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The central fax number for the organization where correspondence for this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Sajeda Muhebbullah**  
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